

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

EA/151

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.52)

09/214349

INTERNATIONAL APPLICATION NO.
& TRADEMARK NO. **PCT/EP97/03550**

INTERNATIONAL FILING DATE
04/07/1997

PRIORITY DATE CLAIMED
04/07/1996

TITLE OF INVENTION

A WATERPROOF FOOTWEAR

APPLICANT(S) FOR DO/EO/US
JOSE SILVA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ Certificate of Mailing by Express Mail
19. ☐ Other items or information:

U.S. APPLICATION NO. (IF KNOWN) 37 CFR	INTERNATIONAL APPLICATION NO. PCT/EP97/03550	ATTORNEY'S DOCKET NUMBER FA/151
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<p>20. The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</p> <p><input type="checkbox"/> Search Report has been prepared by the EPO or JPO \$930.00</p> <p><input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$720.00</p> <p><input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$790.00</p> <p><input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,070.00</p> <p><input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$98.00</p> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 35%;">RATE</th> </tr> <tr> <td>Total claims</td> <td>12 - 20 =</td> <td>0</td> <td>x \$22.00</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$82.00</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims (check if applicable). <input type="checkbox"/></td> <td>\$0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS</td> <td>= \$1,070.00</td> </tr> <tr> <td colspan="3">Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/></td> <td>\$0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL</td> <td>= \$1,070.00</td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).</td> <td>+ \$0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL NATIONAL FEE</td> <td>= \$1,070.00</td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/></td> <td>\$0.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL FEES ENCLOSED</td> <td>= \$1,070.00</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 65%;"></td> <td style="width: 35%;">Amount to be: refunded \$</td> </tr> <tr> <td></td> <td>charged \$</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	12 - 20 =	0	x \$22.00	Independent claims	1 - 3 =	0	x \$82.00	Multiple Dependent Claims (check if applicable). <input type="checkbox"/>			\$0.00	TOTAL OF ABOVE CALCULATIONS			= \$1,070.00	Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>			\$0.00	SUBTOTAL			= \$1,070.00	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).			+ \$0.00	TOTAL NATIONAL FEE			= \$1,070.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>			\$0.00	TOTAL FEES ENCLOSED			= \$1,070.00		Amount to be: refunded \$		charged \$	<p style="text-align: center;">CALCULATIONS PTO USE ONLY</p>
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☐ A check in the amount of _____ to cover the above fees is enclosed.

☒ Please charge my Deposit Account No. **07-1729** in the amount of **\$1,070.00** to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **07-1729** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

<p>Gary A. Samuels, Esq. W. L. Gore & Associates, Inc. 551 Paper Mill Road P.O. Box 9206 Newark, DE 19714-9206 (302) 738-4880</p>	<p>SIGNATURE _____</p> <p>Gary A. Samuels</p> <p>NAME _____</p> <p>20,811</p> <p>REGISTRATION NUMBER _____</p> <p>December 30, 1998</p> <p>DATE _____</p>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jose Silva

Serial No.: (To be Assigned)

Filed: (Simultaneously Herewith)


For: A Waterproof Footwear

) Group Art Unit:

) Examiner:

) I hereby certify that this correspondence is being
) deposited with the "Express Mail Post Office to
) Addressee" service of the United States Postal
) Service in an envelope addressed to:
) Commissioner of Patents and Trademarks,
) Washington, DC 20231 on December 30, 1998,
) with an Express Mail Label, bearing the number
) EE827100018US

Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231


Darlene S. McGrath

December 30, 1998
(date of mailing document)

LETTER OF TRANSMITTAL

Dear Sir:

We enclose the following papers for filing in the U. S. Patent and
Trademark Office in connection with the above-identified new Patent
Application:

1. Transmittal Letter to the United States concerning a
Filing Under 35 U.S.C. 371 (2 pages);
2. Certificate of Mailing By "Express Mail" (1 page);
3. Abstract and Specification (11 pages, 12 claims);
4. Formal Drawings (2 sheets);
5. Copy of the International Search Report (2 pages);
6. Copy of the International Preliminary Examination Report;
7. Information Disclosure Statement (1 page);
8. Information Disclosure Citation (3 pages);
9. References (12).

**THE COMMISSIONER IS HEREBY AUTHORIZED AND IS
REQUESTED TO CHARGE ALL FILING FEES DUE UNDER 37 C.F.R. §1.16
AND ALL OTHER FEES DUE UNDER SECTION 1.17 DURING THE
PENDENCY OF THIS APPLICATION TO OUR DEPOSIT ACCOUNT NO.
07-1729.**

Please accord this application a serial number and a filing date.

Respectfully submitted,



Gary A. Samuels, 20,811
W. L. Gore & Associates, Inc.
551 Paper Mill Road
P.O. Box 9206
Newark, DE 19714-9206
(302) 738-4880

Date: December 30, 1998

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Jose Silva

Docket No.

FA/151

Serial No.

(To be Assigned)

Filing Date

12/30/98

Examiner

Group Art Unit

Invention: A WATERPROOF FOOTWEAR

I hereby certify that this Transmittal Letter to the United States concerning a Filing under 35 U.S.C. 371
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on
December 30, 1998
(Date)

Darlene S. McGrath

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

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("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.